Appendix III

[*Vide* item VI (3)]

L.A. Bill No. 42 of 1970

(As passed by the Assembly)

A Bill further to amend the Tamil Nadu District Municipalities Act, 1920

Be it enacted by the Legislature of the State of Tamil Nadu in the Twenty-first Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Tamil Nadu District Municipalities (Amendment) Act, 1970.

(2) Section 2 shall be deemed to have come into force on the 24th October, 1970.

2. *Amendment to Section* 68, *Tamil Nadu Act V of* 1920.—In section 68 of the Tami.l Nadu District Municipalities Act, 1920 (Tamil Nadu Act V of 1920) (hereinafter referred to as the principal Act), for sub-sections (1) and (2), the following sub-sections shall be substituted, namely :—

"(1) A council of the grade specified in column (1) of the Table below may delegate to the Chairman or to a committee consisting of two or more members the power of making on its behalf any contract the value or amount whereof does not exceed the sum specified in the corresponding entries in column (2) of that Table :—

The Table

Grades	*Maximum value or amount*
	Rs.
1. (*a*) Special grade municipalities with an average annual income of more than fifty lakhs of rupees. (*b*) Selection grade municipalities with an average annual income of not more than fifty lakhs of rupees but more than twenty-five lakhs of rupees.	5,000
2. I grade municipalities with an average annual income of not more than twenty-five lakhs of rupees but more than ten lakhs of rupees ..	4,000
3. II grade municipalities with an average annual income of not more than ten lakhs of rupees but more than five lakhs of rupees ..	3,000
4. III grade municipalities with an average annual income of not more than five lakhs of rupees ..	2,000

Provided that in the case of municipalities included in Schedule IX or notified under sub-section (1) of section 12-C, the power of making on behalf of the council all contracts shall be exercised by a committee consisting of the chairman, the commissioner and one member of the council elected by it and the council shall not exercise or delegate the power of making such contracts.

Explanation.—The average annual income shall for the purpose of this Table be calculated under General Account Ordinary for three consecutive financial years immediately preceding the financial year in which such calculation is made.

(2) In respect of a contract the value or amount whereof exceeds the sums specified in column (2) of the Table under sub-section (1), the sanction of the council for the making thereof shall be obtained before the same is made.

3. *Amendment of Schedule IV, Tamil Nadu Act V of* 1920.—In Schedule IV of the principal Act,—

(*i*) rule 22-A shall be omitted ;

(*ii*) in rule 23, after clause (*b*), the following clause shall be inserted, namely :—

"(*c*) the order of the executive authority under rule 13 upon a revision petition and" ;

(*iii*) rule 23-A shall be omitted ;

(*iv*) in rule 25, for the words, figures and letters "appeal under rule 22-A, 23 or 23-A", the word "appeal" shall be substituted ;

(*v*) in rule 26, in clause (*b*), for the expression "(except when the executive authority otherwise directs on the ground of poverty)", the expression "[except when the executive authority otherwise directs on the ground of poverty in respect of any tax other than the property tax levied under clause (*a*) of sub-section (1) of section 78)" shall be substituted.

(*vi*) after rule 26, the following rule shall be inserted, namely :—

"26-A. Notwithstanding anything to the contrary contained in rules 13, 15 and 26, in the case of any person preferring an appeal to the council in respect of any order of the executive authority under rule 13, upon a revision petition :—

(*a*) if the tax assessed upon such person does not exceed fifteen rupees, then, such person shall not be required to pay the tax in respect of which the appeal is preferred until the disposal of such appeal by the council ; and

(*b*) if the tax assessed upon such person exceeds fifteen rupees but does not exceed thirty rupees, then, such person shall be required to pay only the tax payable by him before the revision made under rule 8 ;

and such person shall not be required to pay the amount of tax enhanced in the revision in respect of which the appeal is preferred until the disposal of such appeal by the council;

(*vii*) in rule 27,—

(*a*) for the words, figures and letters "orders passed under rule 22-A, 23, 23-A or 24," the words and figures "orders passed by the council under rule 24 or on appeal" shall be substituted.;

(*b*) for the words "reduced or remitted by any officer appointed by the District Collector in this behalf of the council," the words "reduced or remitted by the council" shall be substituted;

(*viii*) in rule 28, for the words "the adjudication thereon of the officer appointed by the District Collector in this behalf or of the council," the words "the adjudication of the council thereon" shall be substituted;

(*ix*) in sub-rule (1) of rule 28-A, the proviso shall be omitted.

4. *Repeal and savings.*—(1) The Tamil Nadu District Municipalities (Amendment) Ordinance, 1970 (Tamil Nadu Ordinance 6 of 1970) is hereby repealed.

(2) Any appeal preferred to any officer of the Revenue Department under rule 22-A of Schedule IV of the principal Act as amended by the Tamil Nadu District Municipalities (Amendment) Ordinance, 1970 (Tamil Nadu Ordinance 6 of 1970) and pending before such officer of the Revenue Department on the date of the commencement of this Act shall be deemed to have been preferred to the council under rule 23 of Schedule IV of the principal Act as amended by this Act and such appeal shall be disposed of by the council in accordance with the provisions of Schedule IV of the principal Act as amended by this Act.

TRUTH ALONE TRIUMPHS